

# From the Upper Chamber



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## Report for Wednesday, March 8, 2006

The twenty-eighth day of the 2006 legislative session was called to order by Lieutenant Governor **Mark Taylor**.

Senator **Don Balfour** of the 9<sup>th</sup> stated that the journal had been read and was found to be correct.

Senate Bills 656-659; Senate Resolution 1114; House Bills 491, 831, 988, 1012, 1075, 1083, 1092, 1164, 1224, 1252, 1364, 1373, 1380, 1394, 1404, 1474, 1475, 1476, 1477, 1478, 1479, 1480 and 1481; and House Resolutions 413 and 1302 were read for the first time and assigned to their respective Committees.

Following the reports of Standing Committees and the second reading of Bills and Resolutions, the morning roll call was taken.

Lt. Gov. **Taylor** then recognized Sen. **Ralph Hudgens** of the 47<sup>th</sup> to lead the Senate in the Pledge of Allegiance. Sen. **Hudgens** recognized seniors from the Athens Christian School present in the gallery and introduced the *Chaplain of the Day*, Rev. **Jim Carpenter** of Compass Community Church of Athens, who led the Senate in the daily devotional.

Sen. **Jeff Mullis** of the 53<sup>rd</sup> was recognized to introduce a delegation representing the Albanian Municipal Association present in the gallery.

Lt. Gov. **Taylor** then recognized and commended **Jim Ledbetter**, director of the Carl Vinson Institute, who will be retiring this year.

There were no unanimous consents.

Sen. **Judson Hill** of the 32<sup>nd</sup> took the well on a Point of Personal Privilege to thank the Senate for their thoughts and prayers on the death of his grandfather.

SR 1107, commemorating the 150th anniversary of the founding of the City of Lithonia, was then read. Sen. **Steen Miles** of the 43<sup>rd</sup> was joined by the DeKalb County delegation to speak to the resolution and introduce the group.

Privileged Resolutions 1096-1103, 1105, 1106, and 1108-1112 were read and adopted.

Sen. **Jim Whitehead, Sr.** of the 24<sup>th</sup> took the well to introduce the *Doctor of the Day*, Dr. **Greg Cook** of Martinez.

The Local Consent Calendar, consisting of SB 593, 626-630 and 633 and HB 532, 829, 1198, 1297, 1298, 1432, 1449 and 1450 passed by a vote of 45 to 0.

The Secretary then read SR 769, which urges the Board of Regents of the University System of Georgia to consider the creation of a program granting undergraduate course credits to entering freshman students who have successfully completed the curriculum and examinations leading to an international baccalaureate diploma. President Pro Tempore **Eric Johnson** of the 1<sup>st</sup> took the well to present the resolution.

SR 769 was adopted by a vote 45 to 0.

SR 1025 was read and Sen. **Brian Kemp** of the 46<sup>th</sup> took the well to speak to the resolution, which proposes an amendment to the Constitution to create specially designed license plates to a state department or commission for the purposes of supporting and promoting the equine industry in this state. He yielded to questions from Sen. **Regina Thomas** of the 2<sup>nd</sup>.

SR 1025 was adopted by a vote of 47 to 1.

The Secretary then read SB 510 and the Committee Substitute. Sen. **Chip Pearson** of the 51<sup>st</sup> took the well to present the bill, which would allow landowners to build a single-family dwelling within the additional buffer area, so long as certain criteria are met and approved by the Environmental Protection Division (EPD). The exemptions for single-family dwellings apply to standards for buffers along streams, water supply reservoirs, and standards for land use activities and densities. It also directs the EPD to grant variances for land-disturbing activities so long as certain criteria are met, and allows local governments to develop storm-water management ordinances in lieu of complying with minimum standards set by EPD. The variances and storm-water management ordinances apply only to buffers along streams and water supply reservoirs in small water supply watersheds. He yielded to questions from Sen. **Kemp** and **Mullis**.

Sen. **Seth Harp** of the 29<sup>th</sup> took the well to speak to his reasons for voting against the bill.

The Committee Substitute was adopted by a vote of 38 to 0.

SB 510 passed by substitute by a vote of 33 to 16.

SB 64 and its Committee Substitute were read. Sen. **John Douglas** of the 17<sup>th</sup> took the well to speak to the bill, which repeals the requirement that officers enforcing traffic laws have a blue light on the roof of their vehicles. He yielded to questions from Sen. **Joseph Carter** of the 13<sup>th</sup>.

The Committee Substitute was adopted by a vote of 37 to 0.

SB 64 passed by substitute by a vote of 47 to 2.

SR 653 was read. Without objection, it was adopted and Sen. **Bill Heath** of the 31<sup>st</sup> took the rostrum to speak to the resolution, which recognizes and commends the Bremen High School Varsity Competitive Cheerleading Squad.

SR 693, commending the cast and crew of the Bremen High School one-act competition play, "Mark Twain in the Garden of Eden," for being named Georgia Class A State Champions, was read. Without objection, it was adopted and Sen. **Heath** spoke to the resolution and introduced the group.

The Secretary then read SB 349, which requires that parents and guardians of students are provided with information about meningococcal meningitis and its associated vaccine or vaccines at the beginning of every school year. Sen. **Don Thomas** of the 54<sup>th</sup> took the well to present the bill.

SB 349 passed by a vote of 48 to 0.

The Secretary then read SR 963, which commends the Georgia peanut industry and recognizes March 8, 2006, as Peanut Butter and Jelly Day at the Capitol. Without objection, it was adopted. Sen. **John Bulloch** of the 11<sup>th</sup> took the rostrum to speak to the resolution and introduce the group.

The Secretary then read SB 380, which makes certain provisions for an agricultural commodity commission for equines. Sen. **Kemp** took the well to present the bill.

The Committee Substitute was adopted by a vote of 42 to 0.

SB 380 passed by substitute by a vote of 51 to 0.

SR 874 was read and Sen. **Kemp** was recognized to speak to the resolution commending **E. Lanier "Lanny" Finch** for the vital role that he played in leadership and his deep personal commitment to the welfare of the citizens of Georgia.

Sen. **Jack Hill** of the 4<sup>th</sup> moved that the Senate agree to the Conference Committee Report on HB 1026, the Fiscal Year 2006 Amended Budget. He then took the well to explain the changes. He yielded to questions from Sen. **Thomas** of the 2<sup>nd</sup>.

On the motion, the vote was 50 to 0, and the Senate agreed to the Conference Committee Report on HB 1026.

Upon returning from a short lunch break, SB 529 and its Committee Substitute and amendments were read. Sen. **Chip Rogers** of the 21<sup>st</sup> took the well to present the legislation, which enacts the *Georgia Security and Immigration Compliance Act*. The bill provides for comprehensive regulation of persons who are not lawfully present in the U.S. Sen. **Rogers** also spoke to the amendments.

Sen. **Johnson** took the well to speak to the bill.

Amendment 5 was read.

Sen. **Emanuel Jones** of the 10<sup>th</sup> took the well to speak to Amendment 1, which provides that certain property used in conjunction with producing a false identification document shall be contraband.

Sen. **Sam Zamarripa** of the 36<sup>th</sup> took the well to speak to Amendment 2, which creates an Immigration Board of Advisors for the purposes of monitoring the implementation of this Act. He yielded to questions from Sens. **John Wiles** of the 37<sup>th</sup>, **Jones**, and **Vincent Fort** of the 39<sup>th</sup>.

Sen. **Bulloch** took the well to present Amendment 3, which changes the implementation dates for certain portions of the bill. He yielded to questions from Sen. **Zamarripa**.

Sen. **Kasim Reed** of the 35<sup>th</sup> took the well to speak to Amendment 5, which strengthens penalties for employers to employ any person unless he or she provides proper identification. It also, among other things, provides for an Unlawful Employment Practices Division of the Georgia Bureau of Investigation.

Sen. **Hooks** took the well to speak in support of Amendment 3.

Sen. **Robert Brown** of the 26<sup>th</sup> took the well to speak in support of Amendment 5.

Sen. **Gloria Butler** of the 55<sup>th</sup> took the well to oppose the legislation.

Sen. **Zamarripa** returned to the well to oppose to the bill.

Sen. **Fort** took the well to also oppose the bill.

Sen. **Rogers** returned to the well to close the debate on the bill. He also spoke against Amendment 5.

Amendment 1 was adopted by a vote of 47 to 2.

Sen. **Zamarripa** moved that Amendment 2 be voted on with the yeas and nays vote.

Amendment 2 failed by vote of 20 to 33.

Amendment 3 failed by a vote of 23 to 30.

Amendment 4 was adopted by a vote 42 to 2.

Sen. **Brown** moved that Amendment 5 be voted on with the yeas and nays vote.

Amendment 5 failed by vote of 13 to 40.

The Committee Substitute was adopted as amended by a vote of 42 to 1.

SB 529 passed by substitute as amended by a vote of 40 to 13.

The Secretary then read SB 505, which exempts certain exclusive agents of licensed mortgage brokers or lenders from the requirement of obtaining a mortgage broker or mortgage lender license. Sen. **Balfour** took the well to present the bill. He yielded to questions from Sen. **Steve Henson** of the 41<sup>st</sup>.

The Committee Substitute was adopted by a vote of 35 to 0.

SB 505 passed by substitute by a vote of 45 to 3.

Sen. **Cecil Staton** of the 18<sup>th</sup> moved that SR 682 be tabled. Without objection, the motion carried.

Sen. **Staton** then moved that SB 414 be tabled. Without objection, the motion carried.

SB 523 was read and Sen. **Johnny Grant** of the 25<sup>th</sup> took the well to present the bill, which creates specially designed Gold Star license plates for family members of service members killed in action.

SB 523 passed by a vote of 52 to 0.

SB 539 was read and Sen. **Douglas** took the well to present the bill, which creates specially designed license plates supporting the Global War on Terrorism and Operation Enduring Freedom. He yielded to questions from Sens. **Hudgens** and **Hooks**.

SB 539 passed by a vote of 47 to 2.

SB 538 and its Committee Substitute were read, and Sen. **Douglas** took the well to present the bill, which creates specially designed license plates supporting the Global War on Terrorism and Operation Iraqi Freedom.

The Committee Substitute was adopted by a vote of 36 to 0.

SB 538 passed by substitute by a vote of 46 to 1.

The Secretary then read SB 562, which creates the *Georgia Higher Education Facilities Authority*. Sen. **Dan Weber** of the 40<sup>th</sup> took the well to present the bill and yielded to questions from Sen. **Thomas** of the 2<sup>nd</sup>.

SB 562 passed by a vote of 48 to 3.

Sen. **Balfour** moved that SB 422 be dropped to the foot of the calendar. Without objection, the motion carried.

SB 506 was read and Sen. **Balfour** took the well to present the bill, which provides for a set amount for mandatory fees for HOPE scholarships and HOPE grants for eligible public postsecondary institutions created after January 1, 2004. He yielded to questions from Sens. **Thomas** of the 2<sup>nd</sup>, **Wiles** and **Hill** of the 4<sup>th</sup>.

SB 506 passed by a vote of 49 to 1.

The Secretary then read SB 561, which provides HOPE scholarships and grants for students in professional level programs. Sen. **Harp** took the well to present the bill and yielded to questions from Sen. **Michael Meyer von Bremen** of the 12<sup>th</sup>.

SB 506 passed by a vote of 51 to 0.

Majority Leader **Tommie Williams** of the 19<sup>th</sup> then moved that the Senate stand adjourned until Thursday, March 9, at 9:00 a.m. Following the announcements, the Senate stood adjourned.

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